

August 6, 2012

FOREST HEIGHTS: Preliminary Plat & Clustered Housing/Development Agreement
Modified/added conditions to Hearing Examiner's recommended decision dated 4/12/2012

27. On behalf of its property owners/members, the Forest Heights Homeowners Association will work cooperatively with those owners of Talus Div. 5-C Lots 103 through 109 and Lots 111 through 116, inclusive, for the purpose of allowing their designated representative reasonable annual access to the base of the retaining wall that exists along these lots to inspect the status of the wall. This is a strictly personal permissive activity that is subject to conditions, including reasonable time and manner. Any activity other than an annual inspection will be subject to further discussion by and between the affected lot owners in Talus Div. 5-C and the individual lot owners in Forest Heights.
28. NW James Bush Road shall be the sole access road for Forest Heights construction haul and worker traffic to access the site, unless the applicant can show use of this road is not physically feasible or is hazardous due to weather and/or road conditions for equipment and the City approves an alternate route. Contractors will be required to give notice to the City during the permit application and review process should the use of Talus roads be deemed necessary and appropriate during construction; however, additional contractor request and City review may occur during construction. No construction parking shall be allowed on James Bush Road or in Talus even when Talus roads are used for haul and traffic purposes.
29. Prior to beginning construction, a minimum 6 inch-high vertical barrier (such as extruded curbing, jersey barriers, or other measure) shall be installed creating a 5 to 7 foot wide walkway on the southern side of James Bush Road. A clean graveled walking surface shall be provided as the segregated walkway. The barrier shall be maintained throughout construction and removed at project completion. Project completion will be the final sign off of the final construction permit (such as final inspection approval of the final house construction).
30. The Forest Heights Homeowner Association Board and the Talus Homeowner Association Board shall schedule to meet at the earliest time convenient to both Boards following the creation of the Forest Heights Board. The purpose is to prepare a mutual agreement, that may be revised from time to time as may be necessary and appropriate, for use of the Talus recreation tracts, including mini-parks, and trail system by residents and guests of the Forest Heights community and the use of Forest Heights common open space and trails by residents and guests of the Talus community. The Forest Heights Homeowners Association shall pay reasonable costs representing its proportionate share of the annual maintenance cost of the Talus recreation tracts, including mini-parks, and trail system taking into consideration as an offset the reasonable annual cost attributed to Talus resident and guest use of the Forest Heights trail system including common open space Tracts "B" and "C" and other on-site amenities. The mutual agreement will allow:

- Forest Heights residents and guests use of the following, including but not limited to: Talus recreation tracts, including mini-parks, and the trail system which includes tract "M" of Talus Div. 5-C.
 - Talus residents and guests use of the following, including but not limited to: Forest Heights trail system, open space Tracts A-H, and access through Tract "B" to Talus Tract "M".
31. A rockery that is currently in place at the top of the James Bush Road right-of-way is proposed to be removed and replaced with a retaining wall to accommodate a street sidewalk. The design of the retaining wall shall be reviewed by the Talus Architectural Review Committee, and the City if applicable. The applicant and the Talus Home Owners Association will work jointly on the retaining wall design. For the purpose of providing the owner of Lot 126, Talus Div. 5-C (commonly known as 906 Big Tree Drive NW) an opportunity to participate in the design process, the applicant shall provide Lot 126 Owner with notice of Talus Architectural Review Committee meetings relevant to the retaining wall. Notice shall be mailed to Lot 126 Owner no later than 10 days prior to each meeting. The turning radius at the top of James Bush Road that connects to Big Tree Drive NW shall also be revised as needed to meet Eastside Fire and Rescue vehicle turning radii and street standards within the street right-of-way.
 32. Parallel parking shall be provided along the eastern most side of the loop road. The road right of-way shall be widened to 27 feet wide, except in the area of the steep slope NGPE and buffer, to accommodate 20 feet for 2 travel lanes and 7 feet of width for parallel parking.
 33. The roadway width of Road "A" on the portion of the loop road adjacent the retaining wall and south of the intersection with James Bush Road shall be reduced from 24 to 20 feet width and a 4 feet street planter for street trees located between the road and sidewalk. For the remaining street that is not widened for parallel parking, the street shall be 20 feet wide with the additional 4 feet added to adjacent common areas.
 34. Prior to permit issuance to construct the plat improvements, the stormwater detention vaults proposed in Tracts "A" and "D" shall be designed as covered vaults. Both Tracts shall be landscaped and common usable open space required for Forest Heights may also be located within these tracts, possibly atop the covered vault(s). If pocket parks are also located over the vaults, the parks shall be owned and maintained by Forest Heights. Recommended common usable open space and park amenities include a tot lot, a table and seating. The design of both the vaults and the open space amenities within those tracts shall be reviewed and approved by City staff prior to issuance of the construction permit. At a later date, if the lids for the vaults are not initially used for common open space or recreation, the Forest Heights Homeowner Association Board may use the lids of either or both stormwater facility as a park, with additional City review and approval. Nothing in this condition creates an obligation on the part of the City to build, own, or maintain either park.

35. Clearing of the site shall be timed with that of the development. All non-critical areas and non- buffer areas within the project may be cleared. Any land cleared and not used for development shall be revegetated with native plantings, including evergreen trees. Any cleared land that sits idle for 6 months shall be revegetated, as required by the Landscaping and Tree Preservation Chapter, IMC 18.12.125. Any revegetated areas shall be maintained for 3 years. When the site is cleared for the construction, the following shall be required: 1) Compliance of Temporary Erosion & Sedimentation Control code (TESC), IMC 16.30.050; 2) Compliance with site restoration code, IMC 16.26.120; 3) Bond requirements including a performance bond and a site restoration bond, IMC 16.30.060.
36. With the preconstruction meeting, between the city and a contractor, for Forest Heights site work and/or building construction, any contractor shall submit a traffic control plan as required by the City. The traffic control plan shall include, in addition to those standard items, items to ensure homeowners whose vehicular access is from James Bush Road can reasonably access and exit their homes during construction. At a minimum this would include: flaggers and construction hours which take into account both typical homeowners' travel periods as well as construction schedules. James Bush Road shall also be posted by the contractor with a Notification of Construction sign at least 14 days prior to the commencement of construction activity.